



29           ▶ directs a public school to permit a student to possess or possess and self-administer  
30 diabetes medication under certain conditions.

31 **Monies Appropriated in this Bill:**

32           None

33 **Other Special Clauses:**

34           None

35 **Utah Code Sections Affected:**

36 ENACTS:

37           **53A-11-603**, Utah Code Annotated 1953

38           **53A-11-604**, Utah Code Annotated 1953



40 *Be it enacted by the Legislature of the state of Utah:*

41           Section 1. Section **53A-11-603** is enacted to read:

42           **53A-11-603. Administration of glucagon -- Training of volunteer school personnel**  
43 **-- Authority to use glucagon -- Immunity from liability.**

44           (1) As used in this section, "glucagon authorization" means a signed statement from a  
45 parent or guardian of a student with diabetes:

46           (a) certifying that glucagon has been prescribed for the student;

47           (b) requesting that the student's public school identify and train school personnel who  
48 volunteer to be trained in the administration of glucagon in accordance with this section; and

49           (c) authorizing the administration of glucagon in an emergency to the student in  
50 accordance with this section.

51           (2) (a) A public school shall, within a reasonable time after receiving a glucagon  
52 authorization, train two or more school personnel who volunteer to be trained in the  
53 administration of glucagon, with training provided by the school nurse or another qualified,  
54 licensed medical professional.

55           (b) A public school shall allow all willing school personnel to receive training in the  
56 administration of glucagon, and the school shall assist and may not obstruct the identification  
57 or training of volunteers under this Subsection (2).

58           (c) The Utah Department of Health, in cooperation with the state superintendent of  
59 public instruction, shall design a glucagon authorization form to be used by public schools in

60 accordance with this section.

61 (3) (a) Training in the administration of glucagon shall include:

62 (i) techniques for recognizing the symptoms that warrant the administration of  
63 glucagon;

64 (ii) standards and procedures for the storage and use of glucagon;

65 (iii) other emergency procedures, including calling the emergency 911 number and  
66 contacting, if possible, the student's parent or guardian; and

67 (iv) written materials covering the information required under this Subsection (3).

68 (b) A school shall retain for reference the written materials prepared in accordance with  
69 Subsection (3)(a)(iv).

70 (4) A public school shall permit a student or school personnel to possess or store  
71 prescribed glucagon so that it will be available for administration in an emergency in  
72 accordance with this section.

73 (5) (a) A person who has received training in accordance with this section may  
74 administer glucagon at a school or school activity to a student with a glucagon authorization if:

75 (i) the student is exhibiting the symptoms that warrant the administration of glucagon;  
76 and

77 (ii) a licensed health care professional is not immediately available.

78 (b) A person who administers glucagon in accordance with Subsection (5)(a) shall  
79 direct a responsible person to call 911 and take other appropriate actions in accordance with the  
80 training materials retained under Subsection (3)(b).

81 (6) School personnel who provide or receive training under this section and act in good  
82 faith are not liable in any civil or criminal action for any act taken or not taken under the  
83 authority of this section with respect to the administration of glucagon.

84 (7) Section 53A-11-601 does not apply to the administration of glucagon in accordance  
85 with this section.

86 (8) Section 53A-11-904 does not apply to the possession and administration of  
87 glucagon in accordance with this section.

88 (9) The unlawful or unprofessional conduct provisions of Title 58, Occupations and  
89 Professions, do not apply to a person licensed as a health professional under Title 58,  
90 Occupations and Professions, including a nurse, physician, or pharmacist who, in good faith,

91 trains nonlicensed volunteers to administer glucagon in accordance with this section.

92 Section 2. Section **53A-11-604** is enacted to read:

93 **53A-11-604. Diabetes medication -- Possession -- Self-administration.**

94 (1) As used in this section, "diabetes medication" means prescription or  
95 nonprescription medication used to treat diabetes, including related medical devices, supplies,  
96 and equipment used to treat diabetes.

97 (2) A public school shall permit a student to possess or possess and self-administer  
98 diabetes medication if:

99 (a) the student's parent or guardian signs a statement:

100 (i) authorizing the student to possess or possess and self-administer diabetes  
101 medication; and

102 (ii) acknowledging that the student is responsible for, and capable of, possessing or  
103 possessing and self-administering the diabetes medication; and

104 (b) the student's health care provider provides a written statement that states:

105 (i) it is medically appropriate for the student to possess or possess and self-administer  
106 diabetes medication and the student should be in possession of diabetes medication at all times;  
107 and

108 (ii) the name of the diabetes medication prescribed or authorized for the student's use.

109 (3) The Utah Department of Health, in cooperation with the state superintendent of  
110 public instruction, shall design forms to be used by public schools for the parental and health  
111 care provider statements described in Subsection (2).

112 (4) Section 53A-11-904 does not apply to the possession and self-administration of  
113 diabetes medication in accordance with this section.

**Legislative Review Note**  
**as of 10-3-05 10:38 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**Interim Committee Note**

**12-15-05 10:42 AM**

**S.B. 8**

**as of 12-15-05 10:42 AM**

The Education Interim Committee recommended this bill.

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**Fiscal Note**  
**Bill Number SB0008**

Care of Students with Diabetes in School

14-Jan-06

7:44 PM

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**State Impact**

No fiscal impact to the state. School districts and charter schools may need to provide training for the administration of glucagon.

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**Individual and Business Impact**

No fiscal impact

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**Office of the Legislative Fiscal Analyst**